

## **Historic, Archive Document**

Do not assume content reflects current scientific knowledge, policies, or practices.



Reserve  
aSB763  
.C2C742  
2005

# Record of Decision

United States  
Department of  
Agriculture

Forest Service

Pacific  
Southwest  
Region

September 2005

## CREEKS FOREST HEALTH RECOVERY PROJECT

Lassen National Forest, Almanor Ranger District  
Plumas County, California



**United States  
Department of  
Agriculture**



**National Agricultural Library**

MAR 21 2006

CATALOGING PREP

## Decision and Reasons for the Decision

### Background

The Almanor Ranger District of the Lassen National Forest is proposing the Creeks Forest Health Recovery Project (hereafter called Creeks Project unless otherwise noted). The Creeks Project is designed to implement and be consistent with the 1993 Lassen National Forest (LNF) Land and Resource Management Plan (LRMP), as amended by the Herger-Feinstein Quincy Library Group (HFQLG) Forest Recovery Act FEIS (1999), FSEIS (2003) and RODs (1999, 2003) and the Sierra Nevada Forest Plan Amendment (SNFPA) FEIS (2001), FSEIS (2004) and ROD (2004).

The project area is located in the Butt Creek Management Area (MA 37) and Soda Ridge Management Area (MA 45) on the Almanor Ranger District and encompasses approximately 32,570 acres. The project area is located approximately 12 miles southwest of Chester, California, within Plumas County.

The Creeks Project responds to the goals and objectives outlined in the 1998 HFQLG Act and 1993 Lassen LRMP, as amended. The 1998 HFQLG Act and the 1993 Lassen LRMP, as amended, require completion of resource management activities that include a strategic system of defensible fuel profile zones (DFPZs), area thinnings, and group selections. The selected alternative will move the project area toward the desired future condition as described in these plans. The purpose and need for the Creeks Forest Health Recovery Project is as follows:

- to implement the Herger-Feinstein Quincy Library Group Forest Recovery Act (1998 HFQLG Act), which requires the construction of a network of DFPZs, group-selection timber harvest, and individual tree selection (area thinning).
- to implement a DFPZ as part of an extensive fuel treatment network that is effective in reducing the potential size of wildfires, and providing fire suppression personnel safe locations for taking actions in the event of a wildfire.
- to implement individual tree selection (area thinning) to promote forest health and begin the process of providing an uneven-aged structure to forested stands.
- to implement group selection as directed in the 1998 HFQLG Act to achieve an all-aged multi-story, fire resilient forest, while contributing to the local economy through a sustainable output of forest products.
- to implement economically efficient treatments to reduce hazardous fuels and to contribute to community stability.
- to provide the necessary access for the construction of the DFPZs, group-selection timber harvest, and area thinning, and to reduce impacts of the transportation system.

The Final Environmental Impact Statement (FEIS) for the Creeks Project documents the analysis of three alternatives (Alternatives 1, 2 and 14), which were studied in detail to meet this need.

### Decision

Based upon my review of all alternatives, I have decided to implement Alternative 14, as described in Chapter 2 of the FEIS. This decision will implement 9,190 acres of fuel treatments including 5,905 acres of defensible fuel profile zones (DFPZs) and 3,285 acres of individual tree selection (ITS) or area

thinning, which would be accomplished by treating surface, ladder and canopy fuels utilizing a combination of commercial timber sales, service contracts, and force account crews.

All fuel treatments would meet the standards and guidelines as described in the Sierra Nevada Forest Plan Amendment Supplemental Environmental Impact Statement (FSEIS) ROD (2004). These guidelines would assure that California Wildlife Habitat Relationship (CWHR) type 5M, 5D, and 6, would retain a minimum of 40% crown closure immediately after treatment, while maintaining a minimum of 40% of the reserve basal area generally consisting of the largest conifers within the treatment areas. Within other CWHR types, the fuels treatments would retain 30 to 45% canopy closure post treatment, while maintaining a minimum of 30% of the reserve basal area generally in the largest conifers within the treated stands. Within all CWHR types, all trees 30 inches in diameter at breast height (dbh) or larger would be retained with the exception of those removed for operability. It is anticipated that the potential of harvesting trees 30 inches dbh or larger would rarely occur, and, if it does, it would more than likely occur when the trees prove to be considered a hazard to the harvest operations.

The proposed fuel reduction treatments within the Riparian Habitat Conservations Areas (RHCAs) would meet Riparian Management Objectives (RMOs). The proposed treatments are designed to increase the diversity and overall health of the riparian community and to reduce the effects of wildfires. Treatments within the riparian zones would move the riparian community toward a more historic composition, providing the opportunity for native flora and fauna to trend towards a more sustainable condition.

This decision will implement 1,186 acres of group selection (GS) utilizing timber sale contracts. Group selection densities would be limited to less than six percent of the forested area within the Creeks Project area and the size of any one group would not exceed 2 acres.

This decision would also implement improvements to the existing transportation system within the Creeks Project. The construction of 1.9 miles of new system road, 3.7 miles of new temporary roads, and the upgrade of 5.0 miles of existing non-system roads to temporary roads will occur. Other improvements include the reduction of sedimentation from over 80% of the 179 locations where existing roads cross streams (crossings) by improving the road surface at the crossing locations. The upgrade of these crossings will have an immediate and direct effect of reducing sedimentation from those roads into the streams. Once these projects are completed, the 1.2 miles of system road and 8.7 miles of temporary roads will be closed and decommissioned. The consequence of this will be a net reduction of 6.2 miles of roads within the Creeks Project and meets the purpose and need to provide the necessary access for the construction of the DFPZs, group selection timber harvest, area thinning, and to reduce impacts of the transportation system.

My decision includes all of the integrated design features necessary to protect resources within the Creeks Project. The integrated design features are described in detail in Chapter 2 of the Creeks FEIS.

Table 1 summarizes the approximate vegetation treatment acres included in Alternative 14. A map of the vegetation treatments is illustrated in Figure 2-2 of the FEIS.

**Table 1. Summary of Vegetative Treatments and Yarding Systems for Alternative 14.**

Prescription	Treatment	Mechanized Acres	Cable Acres	Helicopter Acres	Hand Acres	Total
A	DFPZ; surface and ladder fuels, slopes < 35%	1,360				1,360
A	DFPZ; surface and ladder fuels, slopes 35%+				35	35
B	DFPZ; surface, ladder, and canopy fuels, slopes <35%	3,223				3,223
B	DFPZ; surface, ladder, and canopy fuels, slopes 35%+		280			280
C	DFPZ; surface, ladder, and canopy fuels in CWHR 5M, 5D, and 6 class stands, slopes <35%	360				360
C	DFPZ; surface, ladder, and canopy fuels in CWHR 5M, 5D, and 6 class stands, slopes 35%+		35			35
E	DFPZ; surface and ladder fuels, 10% leave islands, slopes < 35%	612				612
E	DFPZ; surface and ladder fuels, slopes 35%+					0
Total DFPZ acres						5,905
F	Area Thin; surface and ladder fuels, slopes <35%	515				515
F	Area Thin; surface and ladder fuels, slopes 35%+				25	25
G	Area Thin; surface, ladder, and canopy fuels, slopes <35%	735				735
G	Area Thin; surface, ladder, and canopy fuels, slopes 35%+		30			30
H	Area Thin; surface, ladder, and canopy fuels in CWHR 4M, 4D, 5M, 5D, and 6 class stands, slopes <35%	1,875				1,875
H	Area Thin; surface, ladder, and canopy fuels in CWHR 4M, 4D, 5M, 5D, and 6 class stands, slopes 35%+		105			105
Total Area Thin Acres						3,285
	Group Selection; slopes <35%	983				983
	Group Selection; slopes 35%+		30	173		203
Total Group Selection Acres						1,186
	Total Acres by Harvest System and Treatment	9,663	480	173	60	10,376

Note: Prescription D is not used in this project.

Source: Almanor Ranger District GIS

## Rationale for the Decision

My decision is based on careful consideration of the analysis presented in Chapter 3 of the Creeks FEIS, the best available science, public comments generated by the Creeks Project Draft Environmental Impact Statement (DEIS), and new information brought forward since the DEIS.

I decided to develop and evaluate in detail Alternative 14, which addresses information that became available during the forty-five (45) day public comment period. Alternative 14 will best address the need to protect the two new northern goshawk nests that were discovered during this period, and address the one significant issue raised during the comment period by interested publics regarding marten and California spotted owl habitat requirements. I received many comments regarding the concern of maintaining habitat connectivity that allows for movement of old forest species such as marten and the spotted owl. This alternative was developed to address that issue and assure that those habitat characteristics would be maintained, while meeting the purpose and need for treatments.

### Fire Behavior

I have determined that this decision will change fire behavior to increase our ability to suppress fires within the Creeks Project. Additionally, implementation of these actions will provide safe locations for firefighters to suppress wildland fire.

Implementation of fuel treatments would not decrease the risk of human or lightning caused fires starting within the Creeks Project, but it does decrease the risk of fire spread by modifying fire behavior and enhancing the ability of the firefighters to contain, suppress, and control wildfires within the treatment areas. The proposed activities will move the existing conditions toward the desired fuel conditions in areas treated by reducing surface fuels and removing ladder fuels, thereby, raising canopy base heights and reducing canopy fuels. The treatments will strategically connect and maintain areas that currently meet desired fuel conditions.

The proposed activities in Alternative 14 will meet the purpose and need for fuel treatment by treating activity generated fuels, surface, ladder, and canopy fuels and providing fire suppression personnel with safe locations for taking action against wildfire. The project will reduce the likelihood of crowning and torching events and improve the ability to suppress fires. Fuel treatments will retain 30 to 45 percent canopy cover, which will result in a lower probability of crown fire events compared to existing conditions. Flame lengths will be reduced and the rate of line construction will be increased, resulting in enhanced ability of fire management personnel to suppress, control, and contain fires impacting or starting in fuel treatments. This will result in potentially fewer acres of forest landscape being modified by high intensity wildland fire.

Prescription E is applied on 612 noncontiguous acres within the project area that will retain higher canopy closure and untreated leave islands to create to maintain habitat connectivity for old forest species. This prescription will not compromise the integrity of the DFPZ system.

## **Wildlife Concerns**

I have considered the risk and uncertainty associated with project impacts, including impacts to spotted owls, which has been acknowledged and addressed in the FEIS. This decision is consistent with the standard and guidelines as outlined in our LNF LRMP, as amended.

This decision reduces the risk and uncertainty associated with project impacts to wildlife in terms of connectivity and forest interior habitat by strategically applying placement of group selection units so that minimum crown closure requirements can be met to assure old forest habitat connectivity. DFPZ prescriptions were adjusted in combination with untreated leave islands in key locations to assure that critical travel corridors would be maintained for old growth dependent species. The Creeks Project consists of 28,840 acres of forested area on National Forest lands. Approximately 61% of this area consists of spotted owl and marten foraging and nesting habitat, CWHR 4M, 4D, 5M and 5D. The decision to implement Alternative 14 will only reduce the spotted owl and marten habitat by approximately 15%. Seventy two percent of the existing spotted owl and marten habitat (CWHR 4M, 4D, 5M, and 5D) within the analysis area will not be treated with implementation of Alternative 14.

Even though there may be a difference of opinion of what the impacts are to individual owls or marten regarding active forest management within spotted owl and marten habitat, I have concluded that the spotted owl territories within and adjacent to the Creeks Project area are at a greater risk of being lost to wildfire than the proposed treatments in Alternative 14. This was apparent by the loss of habitat within three spotted owl protected activity centers (PACs) and two spotted owl habitat areas (SOHAs) during the Storrie Fire in 2000. Approximately 58% of the existing habitat within these PACs and SOHAs were lost to the fire on the Almanor Ranger District. One of the PACs impacted by the Storrie Fire was located within the southern portion of the Creeks Project. Additionally, forest management activities within and adjacent to the Creeks Project over the last thirty years appears to be compatible with active, productive spotted owl territories. Data from the demography studies, which began in the early 1990s, indicate that twelve of the nineteen territories within and adjacent to the Creeks Project have continued to fledge young owls during this period. In fact, five of the twelve territories have fledged young birds as recently as 2002. Continued research within the Plumas/Lassen Administrative Study area is critical towards determining spotted owl and its prey base's response to forest management treatments and impacts on owl viability.

## **Watershed Concerns**

Even though the Grizzly Creek and Lemm Hollows sub-watersheds within the analysis area, when modeled using the equivalent roaded acre model, are calculated to be near their thresholds of concern (TOCs), I have decided to implement Alternative 14. Effects of the Storrie Fire combined with the number of roads in the watershed were the major reasons why the model elevated the TOCs within these watersheds. A twenty-five year recovery period was assumed for the Storrie Fire, which is conservative for disturbance and risk. It is more likely that wildfire recovery within the Storrie Fire will be along the order of three to five years. Roads are the second largest contributor to the TOC values. Their main contribution of sedimentation occurs along the stream crossings. Implementation of Alternative 14 will facilitate the reduction of sedimentation along selected crossings within these two watersheds by re-surfacing the crossings as the individual projects are implemented. Once the proposed projects are

completed, it is expected that the road re-surfacing along crossings will cause the TOCs to drop within five years.

I am more concerned about the potential of having another fire similar to the Storrie Fire within the Creeks Project. The effects of the Storrie Fire on watersheds within the analysis area were devastating in the high intensity burn areas: ground cover was removed by the fire, vegetation was killed and stream shade was completely removed, large and small organic material within and adjacent to streams was eliminated. As was shown in the No Action alternative, I think the risk of another fire may have a more significant impact on the watersheds than implementation of Alternative 14.

### **Vegetation Management, Community Stability & Cost Effectiveness**

I have determined that this decision alone will not convert the landscape to an uneven aged, multi-storied, fire resilient forest; but, rather, it takes the first step toward a landscape transition to a fire resilient forest with species diversity and multi-storied conditions. The project will meet the purpose and need for group selection and individual tree selection to achieve an all-aged mosaic of forested stands, while contributing to the local economy through a sustainable output of forest products. The level of proposed treatments in the Creeks Project FEIS will provide an effective step toward a fire resilient forest with a limited amount of risk to the watershed and wildlife.

It is projected that Alternative 14 will generate 268,535 CCF of wood products with a present net value of over \$1,000,000, which will produce over \$30,000,000 in employee related income. This provides an adequate timber supply that contributes to the economic stability of rural communities and improves and maintains the ecological health of the forest. This meets the purpose and need to implement economically efficient treatments to reduce hazardous fuels and to contribute to community stability.

### **Other Alternatives Considered**

In addition to the selected alternative, I considered in detail two other alternatives, which are discussed below. Alternative 1 is the proposed action, as well as the environmentally preferred alternative, and Alternative 2 is the no action alternative. A more detailed comparison of these alternatives can be found in Chapter 2 of the Creeks Project FEIS. The environmental consequences of each alternative are disclosed in Chapter 3 of the Creeks Project FEIS.

#### **Alternative 1 – Proposed Action**

Alternative 1 would use a combination of commercial timber sales, service contracts, and force account crews to: 1) develop a network of DFPZs on 5,908 acres; 2) conduct area thinning on 3,285 acres, and 3) establish group selection harvest units on 1,245 acres on National Forest land within the Creeks Project. Total treatment acres would be 10,435 acres. Included in this alternative are the construction of 1.9 miles of new National Forest system roads, the use of 8.7 miles of temporary roads, and the decommissioning of 1.2 miles of system and all the temporary roads. Included in this alternative are integrated design features that would be applied in treatment areas to reduce or avoid adverse environmental effects of the alternative to forest resources. Integrated design features are fully described in Chapter 2 of the Creeks Project FEIS.

The main difference between Alternative 1 and Alternative 14 is that neither Prescription E nor untreated leave islands would be applied in Alternative 1. Furthermore, the significant issue regarding

spotted owl and marten habitat connectivity that was raised during the comment period of the DEIS is not addressed as well as in Alternative 14. For these reasons, I did not choose this alternative.

## **Alternative 2 - No Action**

Under this alternative, current management plans and activities would continue. No fuel treatments, DFPZ construction, group selection harvests, individual tree selection harvests, or transportation system changes would be implemented.

I did not choose this alternative because it would not enhance the ability of fire management personnel to suppress, control, and contain fires within the Creeks Project. Additionally, firefighter safety would not be improved and, more likely, would become more uncertain as fuel conditions continue to build. Because fuel treatments, group selection, and individual tree selection would not be implemented, this alternative would make a negligible contribution to an uneven-aged, multi-storied landscape in terms of fire resistant trees, low stand densities, and structural diversity. The risk of losing owl nesting and roosting sites to wildfire would not change from existing conditions in the short-term; however, given the fire risk of the area and the high fire hazard due to fuel conditions, the likelihood of a stand replacing fire exists. In such an event, losses to owl nesting and roosting sites would be great. The planned road work would not occur and the conditions within the watersheds would continue to improve at a slower rate than that projected in Alternative 14.

## **Alternatives Considered but Eliminated from Detailed Study**

Public comments received in response to the Proposed Action provided suggestions for alternative methods of achieving the purpose and need. Some of these alternatives may have been outside the scope of the project intent, duplicative of the alternatives considered in detail, or determined to not provide enough information from which to develop an alternative. Therefore, 11 alternatives were considered, but eliminated from detailed consideration. A discussion of these alternatives can be found in Chapter 2 of the Creeks Project FEIS.

## **Public Involvement**

The proposal was first listed in the LNF Schedule of Proposed Actions (SOPA) on February 2004. In the SOPA, the mode of environmental documentation was predicted as an environmental assessment. The proposal was provided to the public and other agencies for comment during a formal "Opportunity to Comment" as required by 36 CFR 215.6, from June 9, 2004 to July 9, 2004. A letter notifying the public was mailed on June 4, 2004 to approximately 33 addresses of agencies, tribal governments, groups, and individuals. In addition, a legal notice of the proposed action and the formal opportunity to comment was placed in the newspaper of record (Lassen County Times, June 8, 2004) and in the local Chester Progressive newspaper (June 9, 2004). Six letters were received from the June 2004 comment period. A summary of comments received from the public is located in the project file and is hereby incorporated by reference.

In February 2005, the Lassen National Forest Supervisor (Responsible Official) made the decision to analyze this project under an Environmental Impact Statement. Since only minor changes were made to the proposed action, and because this project had been previously provided to the public for comment, the new scoping period was set for 15 days. A Notice of Intent (NOI) was published in the Federal Register

on February 28, 2005. The NOI requested public comment on the proposal by March 15, 2005. In addition, a letter, mailed on February 24, 2005, was sent to agencies, tribal governments and the 33 individuals and groups who had responded to the first scoping effort or who had expressed interest since that effort. Eight letters were received from the February 2005 comment period. From these eight responders, four had responded to the June 2004 scoping, and four were new responses to the February 2005 scoping. These comments were combined with the June 2004 comments and were analyzed for any potential issues. A summary of comments received from the public is located in the project file and is hereby incorporated by reference. Using the comments from agencies, tribal governments, groups and individuals, the interdisciplinary team developed a list of issues to address.

A Notice of Availability (NOA) of the DEIS for the Creeks Forest Health Recovery Project was published in the Federal Register on May 27, 2005. The NOA invited comments on the DEIS and stated that comments will be accepted for 45 calendar days following the date of publication in the Federal Register. In addition, a letter was sent to agencies, tribal governments and 37 individuals and groups who had responded to scoping, or who had expressed interest in this project. This letter was mailed on May 18, 2005. A legal notice was published in the Lassen County Times on June 7, 2005 also stating the availability of the DEIS and the 36 CFR 215 Opportunity to Comment. Four more requests for the DEIS were received following the publication of the NOA and legal notice.

Comments received on the DEIS, and Forest Service responses to comments, are found in Appendix C. A combination of 34 letters, e-mails, and FAXs were received with comments on the DEIS.

## **Findings Required by Other Laws and Regulations**

This decision to implement Alternative 14 of the Creeks Forest Health Recovery Project is consistent with the LRMP, as amended, long term goals, objectives, standards, and appropriate guidelines.

I have determined that the Creeks Forest Health Recovery Project meets the requirements of the following laws as described in the FEIS:

- Civil Rights Impact Analysis (USDA Regulation 4300-4)
- Clean Water Act (Public Law 92-500)
- Clean Air Act (Public Law 84-159)
- Environmental Justice (Executive Order 1289)
- Endangered Species Act of 1973 (Public Law 93-205)
- Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 as amended)
- Migratory Bird Treaty Act of 1918 as amended (16 USC 703-712)
- National Forest Management Act OF 1976 (NFMA; Public Law 94-588)
- National Historic Preservation Act (Public Law 89-665)
- Wild and Scenic Rivers Act (Public Law 90-542, as amended)

## **Implementation**

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. If appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

## **Administrative Review or Appeal Opportunities**

This decision is subject to appeal pursuant to 36 CFR Part 215. Only those individuals and organizations who submitted substantive written or oral comments during the 45-day comment period (36 CFR 215.6) and otherwise meet the specific requirements of 36 CFR 215.13 have standing to appeal. Appeals must be filed within 45 days from the publication date of this notice in the Lassen County Times. Notices of appeal must meet the specific content requirements of 36 CFR 215.14. An appeal, including attachments, must be filed (regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer (36 CFR 215.8) within 45 days following the publication date of this notice. The publication date of this notice is the exclusive means for calculating the time period to file an appeal (36 CFR 215.15) (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

Appeals must be submitted to Bernard Weingardt, Regional Forester, 1323 Club Drive, Vallejo, CA 94592, (707) 562-8737. Appeals may be submitted by FAX [707-562-9091] or by hand-delivery to the Regional Office, at the address shown above, during normal business hours (Monday-Friday 8:00am to 4:30pm). Electronic appeals, in acceptable [plain text (.txt), rich text (.rtf) or Word (.doc)] formats, may be submitted to appeals-pacificsouthwest-regional-office@fs.fed.us with Subject: Creeks Forest Health Recovery Project.

### **Contact Person**

For additional information concerning this decision, contact Al Vazquez, District Ranger, Almanor Ranger District, P.O. Box 767, Chester, CA 96020, (530) 258-2141.

Laurie Tippin  
LAURIE TIPPIN  
Forest Supervisor  
Lassen National Forest

September 9, 2004  
DATE



The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

\* NATIONAL AGRICULTURAL LIBRARY



1022581067